

COMMENTS FOR THE CONGRESSIONAL COMMITTEE ON H-1B--March 30, 2006

Good Morning, my name is Delbert W. Baker. Thank you to Congresswoman Sheila Jackson Lee for the opportunity to speak to this committee.

Oakwood College, a 110-Year-Old Historically Black College

I am the President of Oakwood College, an Historically Black liberal arts College, located approximately ten miles from NASA-Marshall Space Flight Center and the Redstone Arsenal in Huntsville, Alabama. Established in 1896, Oakwood College has the distinction of being one of the top ten institutions in the country that sends minority students to graduate from medical school. Enrolling approximately 1,800 students, Oakwood College is one of the thirty-nine colleges in The College Fund/UNCF and one of the 120 member colleges of NAFEO—the National Association for Equal Opportunity in Higher Education.

Oakwood College has a history of success with a student population that matriculates and persists to graduation. The College has been able to accomplish this due to a variety of factors, one of which has been the support that it has received from programs that are designed to increase student participation in fields that have minority under-representation. These programs have been supported by organizations like CSEMS, the Computer Science, Engineering and Mathematics Scholarships programs sponsored through the National Science Foundation (NSF) and Department of Labor (DOL).

Complimentary H-1B Program Needed

Today I am appearing to give testimony from a unique perspective. My objective is to make comments about the H-1B program, and how support of H-1B *should not obviate* efforts to adequately prepare U.S. students and particularly under-represented minorities, women, persons who are physically challenged and those who are economically and socially disadvantaged to successfully take their place in the American workforce. More specifically, the intent of my comments is to reason that *because of the reality of H-1B program*, government and businesses should redouble efforts to assist those under-represented U.S. citizens who are seeking to, or *potentially can*, rise to fill positions currently targeted by the H-1B program. This objective can best be facilitated by establishing a complementary empowering program.

Research supports the fact that despite gains made in past years, under-represented Americans, referred to earlier, remain seriously disadvantaged in their pursuit of careers in the areas of science, math, engineering, and technology. These groups still remain conspicuously absent in businesses, and corporate settings where science, engineering, and mathematical skills are required. With vision and the proper support, this reality can be reversed.

The Objectives of the H-1B Program

I am an educator. My role is to prepare students for the workplace, to prepare an educated workforce to meet the demands of a technologically complex and knowledge-based economy. However, I am also acutely aware of the immediate need that the U.S. has for highly trained, specialized workers that the H-1B Visa program was established to meet. The objectives of the program have been widely articulated: the need to supply educated, specialized guest workers, while protecting American jobs; the need to protect the rights of guest workers, while utilizing them on a short-term and limited basis; the need to get necessary jobs done, while not displacing or adversely affecting the wages or working conditions of U.S. workers.

Safeguarding Principles for the H-1B Program

There is an equal rationale for prevailing principles to govern and safeguard the U.S. approach to the H-1B program. These principles encompass, but are not limited to:

- 1) A deliberate communication to the American worker that H-1B legislation does not lessen concern for the American worker. The government should avoid the perception that *all* government and industry want to do is fill jobs and produce goods and services in order to keep a competitive economic edge. H-1B legislation and enactments must communicate to all Americans that America will diligently invest in the development, maintenance, and enhancement of all sectors of the American workforce.
- 2) Protections for H-1B workers that ensure their dignity and civil rights will be preserved. These protections must certainly include measures to prevent exploitation, hiring H-1B workers at prevailing wage standards, whistle-blower protection for those who expose illegal or immoral practices, and measures to detect and avoid visa fraud.
- 3) A unifying operating principle that views H-1B workers and permanent American workers as partners and not competitive enemies.

A Janusian Approach to the H-1B Dilemma

With that said, I move to the major reason for my testimony. The perspective that I bring is Janusian—a term that has become popular in educational circles. In Roman mythology, Janus was the god of gates, doors, beginnings, and endings. He was depicted with two faces looking in opposite directions. Thus, Janusian thinking says one can simultaneously keep in mind that which may seem like opposing perspectives. We are Janusian in our thinking when we can, function in the context of and use paradoxical conditions to solve vexing problems and construct important paradigms and innovative solutions.

The H-1B dilemma requires Janusian thinking. While there is a need for a viable, reasoned H-1B program, our government leaders must equally ensure that everything possible is being done to adequately prepare American citizens to be strategic and productive workers for the future. These balancing concerns must be assiduously pursued by legislators, educators, government and public servants, and the American public in order to ensure a prepared U.S. workforce for the future, so that American labor will not continue to be dependent on essential professionals by necessity or lack of preparation.

One of the best ways to ensure that we are prepared for future labor demands and complexities of a global economy is through proper attention to education. I support educational initiatives for all students, but we must assiduously promote and protect programs that prepare minority students in technology, science, math, and engineering.

Fortunately, there are models and precedence for this approach. As I stated in my introduction, the programs that have been implemented at Oakwood College have helped us prepare minority students. Programs sponsored by the Government can and do work.

Working Models of Empowerment Programs

This is borne out by programs, grants, and contracts with federal agencies such as: the Department of Defense (Enhancing Math and Science Education; Expanding Research Opportunities for Undergraduate Students), the National Institutes of Health (RISE-I-CARE=Research Initiative for Scientific Enhancement-Improving Curriculum by Academic and Research); National Science Foundation (ACER=Active Chemical Education through Research); MGE=Minority Graduate Education Program and Title III Funds, and in collaboration with NASA (MISE=Minorities in Science and Engineering; PAIR = Partnership Award for the Integration of Research); UNCF Special Programs (SEEDS=Strategies for Ecology Development and Sustainability). More than 100 students in the STEM (science, technology, engineering, and math) programs have benefited from these entities; and our graduates in the natural sciences are pursuing and obtaining non-medical M.S. and Ph.D. degrees. These programs are complimented by private industries like SAIC (Cost Plus Award Fee Subcontract to NASA).

These programs work. Many of the successes and positive outcomes can be directly linked to Congressional programs and presidential actions, like the one taken by President Bush in 2002 when he signed the Presidents' Executive Order 13256... "regarding the needs of Historically Black Colleges and Universities in the areas of infrastructure, academic programs, and faculty and institutional development ..., strengthening fiscal stability and financial management, and improving institutional infrastructure, including the use of technology, to ensure the long-term viability and enhancement of these institutions."

Potential of the ATRAC Approach

Here is a specific recommendation for your consideration. This recommendation provides a foundation, a platform for broader, more creative and comprehensive initiatives.

The recommendation is that the government earmark funds to establish a pilot program to compliment the H-1B program. This foundational program would include but not be limited to the following five components: AWARENESS, TRAINING, RECRUITMENT, ACCOUNTABILITY, COOPERATION (ATRAC):

1) AWARENESS: That a plan be developed and implemented to educate the general public, our K-12 system, and our institutions of higher learning on the need to aggressively prepare students to assume careers in science, math, engineering and technology. These programs must be laser-focused and insistent. Special efforts must be well-placed to encourage women, under-represented ethnic minorities, persons who are physically challenged and Americans who are socially and economically disadvantaged.

- We are missing the valuable contributions that these groups can make to our national economy and landscape by allowing their numbers to continue to be miniscule in professional graduate education, research, and in business management.

I have no doubt that such a public awareness campaign for education can be effective if it is undertaken with persistence. Through public relations efforts in America we have begun to see changes in the way our citizens eat, exercise, and watch their weight. We have initiated the Amber alert system that mobilizes communities when a child is lost or abducted. We have the Homeland Security Advisory System, color-coded to inform society of the potential threat conditions. The public has become aware of a vast, and heretofore unrecognized, need for ethics

in business and politics through a public, informal education received at the hand of legal interventions and court trials. Equally, we must develop strategies that educate the public about the benefits and necessity of preparing students in vital areas where current preparation is lacking.

2) TRAINING: That oversight organizations begin and/or continue to provide or increase funding for programs that train educators and institutions which actively prepare students for targeted professions. Many HBCUs and other minority-serving institutions are struggling to attract, recruit, and retain students with uncultivated skill and talent. Professors, administrators, staff, and institutional researchers must have on-going training in best practices, benchmarking strategies and future trends if they are to be expected to meet current issues and address new challenges.

Programs like the ones that are currently in place in the National Science Foundation and Department of Labor must be expanded and include “train the trainer” components. These programs must be accessible to all institutions, particularly minority-serving institutions. While programs to train faculty in colleges and universities are vital, we must not fail to adopt the forward thinking that includes training for K-12 teachers so that the seeds for career possibilities in technical areas can be planted in students’ minds as early as possible.

3) RECRUIT: Well constructed, intentional programs should be developed in all appropriate agencies to attract and recruit under-represented students. As referenced above, the Presidents’ Executive Order as implemented through the White House’s initiative for Historically Black Colleges and Universities is a good model on how this might be implemented. Conventional wisdom most certainly includes scholarship and grant opportunities to promising students. Scholarship programs provide a compelling incentive to students and their value cannot be minimized.

However, the challenge, in our education partnership, is to devise new ways to motivate students in critical areas. The programs of the last 30 years—Youth Motivation Task Force (YMTF), Black Executive Exchange Program (BEEP), INROADS (that emphasizes Selection, Education and Training, and Performance)—have recently been complimented by the US Dream Academy and MiFuturo to be more representative of the full diversity of the under-represented segments of our society in a highly technological global village. The goals of the above initiatives and what I am advocating in relation to H-1B can share in common some of the same content objectives:

1. Practical experiences in self-esteem and character building.
2. Integrating culturally diverse mentors and role models into the education equation.
3. Peer tutoring.
4. Increased technology literacy.
5. Career coaching and access to post undergraduate providers offering internships, entry level positions, and graduate education.
6. Community Assistance and Service Learning.
7. Leadership.

Of course, the best educational culture provides learning that can be applied and in real time. Hence, modern techniques, ranging from interactive web portals to mentors to onsite learning

centers will make it possible to fill the gap, develop competency, and respond to student needs more selectively.

I advocate that we evolve learning communities which collaborate in the delivery of relevant, innovative cutting-edge curricula and community partnership. We must deploy intrusive strategy that seeks to customize educational offering to meet the unique needs of a diverse student population, high tech society, and future workforce.

4) **ACCOUNTABILITY:** The programs and plans, to be effective, must be specific, measurable, and have accountability imbedded. With intentional oversight and with the appropriate bodies to insure that they are accomplishing their intended objectives, this complementing program could also serve to deflect criticism of the H-1B program. More importantly it would intentionally be investing in the future potential of our citizens, be a deterrent to crime and “drop-outism,” and develop workers for the targeted areas.

5) **COOPERATION AND COLLABORATION:** The final point of this proposed H-1B program is a values-based PR component. The H-1B program will be best served if it operates in a context of cooperation and collaboration. The current H-1B program need not be surrounded with suspicion and whispers of conspiracy. Establishing a ATRAC pilot program would help to allay suspicion by assisting U.S. citizens who will be impacted by the H-1B program. It would allow the H-1B platform to move from a reactive position to a proactive one.

Conclusion: A Win-Win Outcome

All aspects of the ATRAC program would send the message that historically disadvantaged and under-represented groups are in cooperation and collaboration rather than in competition with the benefactors of the H-1B program. Everyone benefits. It provides a firm foundation for citizens and immigrants to work together for a stronger America and a stronger global community.

In conclusion, this ATRAC approach could facilitate a win-win situation. I appeal to this Committee to seriously consider endorsing this type of programmatic approach that will ensure the future of under-represented American workers while simultaneously utilizing the H-1B Program to meet current needs.

Thank you for the opportunity to testify and for your consideration of this approach. I trust these ideals will be useable.

Delbert W. Baker, Ph.D.
President, Oakwood College
Huntsville, Alabama 35896
Phone: 256-726-7334; Fax: 256-726-8335
presidentsoffice@oakwood.edu